

1 AN ACT in relation to fire protection.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 2. The Township Code is amended by adding Section  
5 30-166 as follows:

6 (60 ILCS 1/30-166 new)

7 Sec. 30-166. Charge against non-residents.

8 (a) The township board of each township may fix, charge,  
9 and collect fees not exceeding the reasonable cost of the  
10 service for all services rendered by the township against  
11 persons, businesses, and other entities who are not residents  
12 of the township.

13 (b) The charge may not be assessed against residents of  
14 the township or persons who request fire protection coverage  
15 for an unprotected area and who pay to the township an amount  
16 equal to the township's fire protection tax under Article 200  
17 of this Code.

18 (c) The charge for such services shall be computed at a  
19 rate not to exceed \$125 per hour per vehicle and not to  
20 exceed \$35 per hour per firefighter responding to a call for  
21 assistance. An additional charge may be levied to reimburse  
22 the township for extraordinary expenses of materials used in  
23 rendering such services. No charge shall be made for services  
24 for which the total charge would be less than \$50.

25 (d) All revenue from the charges assessed pursuant to  
26 this Section shall be deposited into the general fund of the  
27 township.

28 Section 5. The Illinois Municipal Code is amended by  
29 adding Section 11-6-1.1 as follows:

1 (65 ILCS 5/11-6-1.1 new)  
 2 Sec. 11-6-1.1. Firefighting services outside corporate  
 3 limits. A municipality may choose to provide firefighting  
 4 services to property outside its corporate limits. The  
 5 corporate authorities of each municipality may fix, charge,  
 6 and collect firefighting service fees not exceeding the  
 7 actual cost of the service for all firefighting services  
 8 rendered by the municipality against persons, businesses, and  
 9 other entities that are not residents of the municipality. An  
 10 additional charge may be levied to reimburse the municipality  
 11 for extraordinary expenses of materials used in rendering the  
 12 services. Nothing in this Section shall impact any agreement  
 13 entered into by a municipality and persons, businesses, and  
 14 other entities that are not residents of the municipality.  
 15 Nothing in this Section shall require a municipality to  
 16 supply any firefighting services to property located outside  
 17 the corporate limits of the municipality.

18 Section 10. The Fire Protection District Act is amended  
 19 by changing Section 15 as follows:

20 (70 ILCS 705/15) (from Ch. 127 1/2, par. 35)

21 Sec. 15. Whenever any property within a fire protection  
 22 district, organized under this Act, does not have the  
 23 territorial qualifications described in Section 1 of this  
 24 Act, or is not reasonably protected by the district from the  
 25 hazards of fire or would receive greater benefit of service  
 26 from another such district or other municipal corporation,  
 27 any legal voter within such district or the owner or owners  
 28 of such property may detach and disconnect such property from  
 29 such fire protection district in the following manner:

30 The owner or owners of such property within such fire  
 31 protection district or any legal voter within such district  
 32 may file his petition in the court in which such district was

1 organized setting forth therein the description of the  
2 property sought to be detached and disconnected, a statement  
3 that the detachment and disconnection will not cause the  
4 territory remaining in the district to be noncontiguous; that  
5 the loss of assessed valuation by reason of the disconnection  
6 of such territory will not impair the ability of the district  
7 to render fully adequate fire protection service to the  
8 territory remaining with the district; that the territory  
9 will remain liable for its proportionate share of any  
10 outstanding bonded indebtedness of the district; and  
11 alleging facts in support of such detachment and  
12 disconnection, and praying that such property be detached and  
13 disconnected from such fire protection district. The  
14 petition shall be signed and sworn to by the petitioner or  
15 petitioners. For the purpose of meeting the requirement of  
16 this Section that the detachment and disconnection will not  
17 cause the remaining territory to be noncontiguous, territory  
18 shall be considered to be contiguous if the only separation  
19 between parts of the territory is land owned by the United  
20 States, the State of Illinois, any agency or instrumentality  
21 of either, or any regional airport authority. Upon the  
22 filing of such petition, the court shall set the same for  
23 hearing on a day not less than 2 weeks nor more than 4 weeks  
24 from the filing thereof and shall give 2 weeks notice of such  
25 hearing in the manner provided in Section 1 of this Act. The  
26 fire protection district shall be a necessary party to the  
27 proceedings and it shall be served with summons in the manner  
28 prescribed for a party defendant under the Civil Practice  
29 Law. All property owners in such district, the district from  
30 which such transfer of territory is to be made, and all  
31 persons interested therein may file objections, and at the  
32 hearing may appear and contest the detachment and  
33 disconnection of the property from such fire protection  
34 district, and both objectors and petitioners may offer any

1 competent evidence in regard thereto. If the court, upon  
2 hearing such petition, finds that the petition complies with  
3 this Act and that the allegations of the petition are true  
4 the court shall enter an order detaching and disconnecting  
5 such property from such district, and thereupon such property  
6 shall cease to be a part of such fire protection district,  
7 except that the property remains liable for its proportionate  
8 share of any outstanding bonded indebtedness of the  
9 district. The circuit clerk shall transmit a certified copy  
10 of the order to the county clerk of each county in which any  
11 of territory affected is situated and to the Office of the  
12 State Fire Marshal.

13 (Source: P.A. 91-323, eff. 1-1-00.)

14 Section 99. Effective date. This Act takes effect upon  
15 becoming law.